

UNITED STATES DISTRICT COURT
DISTRICT OF MAINE

APRIL 2021 CIVIL TRIAL LIST

This list contains Bangor civil cases that could be scheduled for trial during the month of April, 2021.

***NOTICE* - Jury empanelment proceedings have been revised to increase the effectiveness of social distancing restrictions associated with the COVID-19 Pandemic. Counsel are advised to review this information carefully.**

Jury Empanelment¹

Jury selection is scheduled for April 5th and 6th at 9:00 a.m. in Portland and on April 6th and 7th at 9:00 a.m. in Bangor. To reduce the number of jurors directed to appear to the courthouse for jury empanelment, the Court intends to enhance its preliminary juror questionnaires to attempt to ensure that persons who are unable to serve due to COVID-19 or case-related conflicts are not directed to appear in the first instance.

Juror Questionnaires and Preliminary Questionnaire Proceedings

All jurors selected to comprise the jury pool are required to complete a questionnaire designed to determine, on a confidential basis, a juror's capability and suitability to serve. These are questions that ordinarily are not asked during open-court jury empanelment proceedings. The parties and counsel will be heard concerning both the content of the questionnaire and the significance of juror responses to the same. These matters will be addressed in two preliminary Zoom hearings, to be scheduled in each case. In the first hearing, the Court will determine the list of COVID-related and case-specific questions (e.g., names of the parties, counsel, and witnesses) to be addressed to the jurors to assess whether obvious grounds exist to excuse jurors from participation in empanelment proceedings, either generally or for a particular case. In the second hearing, after the Court and the parties have reviewed juror responses, the Court will provide the parties the opportunity to be heard concerning the excusal of particular jurors.

The Court will commence these proceedings significantly in advance of the trial date to ensure that the jurors have adequate time to complete the questionnaire and that counsel can be heard on the issue of juror excusal before the Court directs jurors to appear at empanelment proceedings.

At the conclusion of these proceedings, the Court intends to select, at random, 14 jurors from the remaining jury pool to appear for purposes of empaneling the trial jury for a particular case.

Counsel of record will be provided access to the juror questionnaires through the date of jury selection, after which the questionnaires will not be available for review.

Notifying the Court

Due to the Court's revised jury empanelment proceedings and in the interest of limiting operations under its COVID General Orders, it is imperative that counsel advise the Clerk not later than February 22, 2021 whether their case is firm for trial or is to be otherwise resolved.

Final Pretrial Conferences

Final pretrial conferences have been scheduled before the Magistrate Judge or District Judge

¹ The Court will ordinarily plan to select one jury the first day, with the second day held in reserve. Counsel should be prepared to select a jury on the first day, regardless of position on the trial list.

designated on the trial list. Final pretrial memoranda shall be filed one week prior to the scheduled conference.

Motions for Continuance

Any motion for a continuation of trial and motions for protection from trial shall be filed by **February 22, 2021**. Motions filed thereafter will be considered by the Court only on a basis of cause for continuation.

Discovery Deadlines

Absent some excusable circumstance, discovery initiatives must be initiated sufficiently in advance of the discovery deadline to permit the opposing party to file, in advance of the discovery deadline, its appropriate response within the period allowed by the civil rules for such purpose.

A Summary of First Circuit Authority Concerning Opening Statements and Closing Arguments and the most recent Maine Local Rules can be found on the District Court's Internet Home Page at www.med.uscourts.gov .

PORLAND

1) LAWRENCE ROLAND OUELLETTE v. NORMAN GAUDETTE
Civil no. 2:16-cr-00053-LEW
(Jury)

Matthew D. Morgan, Esq. Gene R. Libby, Esq.
Walter F. McKee, Esq. Tyler J. Smith, Esq.

Telephonic Final Pretrial Conference scheduled for March 1, 2021 at 1:00 p.m. before Magistrate Judge Rich.

2) SCOTT JORDAN, JR. v. TOWN OF WALDOBORO, et al.
Civil No. 2:17-cv-00025-JHR
(Jury)

Karen E. Wolfram, Esq. Edwin R. Benjamin, Jr., Esq.
Amy L. Fairfield, Esq. Kasia S. Park, Esq.

Telephonic Final Pretrial Conference scheduled for March 1, 2021 at 2:30 p.m. before Magistrate Judge Rich.

3) JOHN A. CHARRON v. CHRISTOPHER MOSS, et al.
Civil No. 2:18-cv-00105-JAW
(Jury)

Gregory O. McCullough, Esq.

Video Prehearing Conference scheduled for March 4, 2021 at 10:00 a.m. before Judge Woodcock.
Jury determination of damages hearing.

4) ROMELLY DASTINOT v. AUBURN POLICE DEPARTMENT, et al.
Civil no. 2:18-cv-00166-JCN
(Jury)

Martha C. Gaythwaite, Esq. Edwin R. Benjamin, Jr., Esq.
Rachel M. Wertheimer, Esq. Kasia S. Park, Esq.

Telephonic Final Pretrial Conference scheduled for March 1, 2021 at 9:00 a.m. before Magistrate Judge Nivison.

5) MILLIE PELLETIER v. LOUIS DEJOY
Civil no. 2:18-cv-00194-JDL
(Jury)

Sarah A. Churchill, Esq. Andrew K. Lizotte, AUSA

Video Final Pretrial Conference scheduled for March 1, 2021 at 2:00 p.m before Judge Levy.

6)	ARTHUR J. ROCQUE, JR., et al. <u>Civil no. 2:18-cv-00256-JDL</u> (Jury)	v.	ZETTY LLC, et al.
	William H. Welte, Esq.		Twain Braden, Esq. Benjamin Wahrer, Esq. Elizabeth K. Peck, Esq.
Video Final Pretrial Conference scheduled for March 1, 2021 at 3:00 p.m. before Judge Levy.			
7)	ROBERT R. YOUNG <u>Civil no. 2:18-cv-00320-JDL</u> (Jury)	v.	SHAW'S SUPERMARKETS INC.
	Jeffrey Bennett, Esq.		K. Joshua Scott, Esq.
Video Final Pretrial Conference scheduled for March 1, 2021 at 4:00 p.m. before Judge Levy.			
8)	INDIRA YERRAMSETTY <u>Civil no. 2:18-cv-00454-DBH</u> (Jury)	v.	DUNKIN' DONUTS NORTHEAST INC., et al.
	Neal L. Weinstein, Esq. Robert A. Skoblar, Esq.		Elizabeth A. Germani, Esq. James Peter Spizuoco, Esq.
Telephonic Final Pretrial Conference scheduled for March 2, 2021 at 8:30 a.m. before Magistrate Judge Rich.			
9)	GARY AURITT <u>Civil no. 2:18-cv-00471-DBH</u> (Bench)	v.	SHANNON AURITT
	Andre James Hungerford, Esq.		Shannon Auritt, pro se
Telephonic Final Pretrial Conference scheduled for March 2, 2021 at 10:00 a.m. before Magistrate Judge Rich.			
10)	VICTOR COFFIN <u>Civil no. 2:18-cv-00472-NT</u> (Jury)	v.	AMETEK, INC., et al.
	Jason T. Shipp, Esq. Joseph Cirilano, Esq. Kevin M. Noonan, Esq.		Glen L. Porter, Esq. Jason C. Barrett, Esq. Michael A. Hodgins, Esq.
Telephonic Final Pretrial Conference scheduled for March 1, 2021 at 10:00 a.m. before Magistrate Judge Nivison.			

11)	MAUREEN EVERETT <u>Civil no. 2:18-cv-00479-JDL</u> (Bench)	v.	CORRECT CARE SOLUTIONS, LLC
	Guy D. Loranger, Esq.		Jonathan G. Rue, Esq.
Video Final Pretrial Conference scheduled for March 2, 2021 at 10:00 a.m. before Judge Levy.			
12)	VESPER MARITIME LIMITED <u>Civil no. 2:19-cv-00056-NT</u> (Bench)	v.	LYMAN MORSE BOATBUILDING, INC.
	Andrew Bate, Esq. William H. Welte, Esq.		Elizabeth K. Peck, Esq. Raymond T. Waid, Esq. Twain Braden, Esq. Michael X. Savasuk, Esq.
Video Final Pretrial Conference scheduled for March 4, 2021 at 2:00 p.m. before Judge Torresen.			
13)	KELLY SCHROTH, et al. <u>Civil no. 2:19-cv-00131-DBH</u> (Jury)	v.	MONKEY TRUCKS SACO LLC, et al.
	Daniel D. Feldman, Esq. David A. Weyrens, Esq.		James B. Haddow, Esq. Michael K. Martin, Esq. Christian H. Hinrichsen, Esq. Jeffrey T. Edwards, Esq. Julian M.K. O'Brien, Esq. Sean D. Magenis, Esq.
Telephonic Final Pretrial Conference scheduled for March 1, 2021 at 11:00 a.m. before Magistrate Judge Nivison.			
14)	GLENN TUCKER <u>Civil no. 2:19-cv-00213-GZS</u> (Jury)	v.	TOWN OF SCARBOROUGH
	Sarah A. Churchill, Esq.		Mark V. Franco, Esq.
Telephonic Final Pretrial Conference scheduled for March 1, 2020 at 3:00 p.m. before Magistrate Judge Nivison.			

15)	PROF-2014-S2 LEGAL TITLE TRUST II BY US BANK NATIONAL ASSOCIATION AS LEGAL TITLE TRUSTEE <u>Civil no. 2:19-cv-00220-DBH</u> (Bench)	v.	FIRST TENNESSEE BANK NA, et al.
	Ashley L. Janotta, Esq. Andrew J. Schaefer, Esq.	J. Scott Logan, Esq. Stephean C. Chute, Esq.	
Telephonic Final Pretrial Conference scheduled for March 2, 2021 at 1:00 p.m. before Magistrate Judge Rich.			
16)	US BANK NATIONAL ASSOCIATION v. <u>Civil no. 2:19-cv-00280-JAW</u> (Bench)	JPMORGAN CHASE BANK, NA, et al.	
	John A. Doonan, Esq. Reneau J. Longoria, Esq.	John D. Clifford, IV, Esq. John D. Clifford, V, Esq. Jennifer G. Huston, AUSA	
Telephonic Final Pretrial Conference scheduled for March 2, 2021 at 10:00 a.m. before Magistrate Judge Nivison.			
17)	BANK OF NEW YORK MELLON <u>Civil no. 2:19-cv-00390-JDL</u> (Bench)	v.	CAROLE OREM HOUGH, et al.
	Carrie Folsom, Esq.	John D. Clifford, V, Esq. John D. Clifford, IV, Esq. Ashley E. Eiler, Esq.	
Video Final Pretrial Conference scheduled for March 2, 2021 at 11:00 a.m. before Judge Levy.			
18)	T. ANTHONY CRAWFORD <u>Civil no. 2:19-cv-00402-LEW</u> (Jury)	v.	AR DENTAL LLC, et al.
	Allan K. Townsend, Esq. Chad T. Hansen, Esq.	Jonathan G. Rue, Esq. David A. Strock, Esq.	
Telephonic Final Pretrial Conference scheduled for March 2, 2021 at 10:00 a.m. before Magistrate Judge Nivison.			
19)	FLETCH'S SANDBLASTING & PAINTING INC <u>Civil no. 2:19-cv-00444-GZS</u>	v.	ALBI MANUFACTURING (Jury)
	Christine W. Casa, Esq. Philip L. Pettis, Esq.	John R. Veilleux, Esq.	
Telephonic Final Pretrial Conference scheduled for March 2, 2021 at 11:00 a.m. before Magistrate Judge Nivison.			

20)	DEUTSCH BANK NATIONAL TRUST v. COMPANY <u>Civil no. 2:19-cv-00571-JAW</u> (Bench)	v.	JEANNE MACDONALD, et al. John A. Doonan, Esq. Reneau J. Longoria, Esq. Jeanne MacDonald, pro se
Telephonic Final Pretrial Conference scheduled for March 3, 2021 at 8:30 a.m. before Magistrate Judge Rich.			
21)	VINCENT ODEN <u>Civil no. 2:20-cv-00081-JDL</u> (Jury)	v.	CITY OF WESTBROOK, et al. Adam R. Lee, Esq. John J. Wall, III, Esq.
Video Final Pretrial Conference scheduled for March 3, 2021 at 10:00 a.m. before Judge Levy.			
22)	IN RE: HALEYMARITIME INC COMPLAINT FOR EXONERATION OR LIMITATION OF LIABILITY <u>Civil no. 2:20-cv-00111-JAW</u> (Jury)	v.	Samuel P. Blatchley, Esq. Brian Keane, Esq. Patrick Jason Mellor, Esq. Telephonic Final Pretrial Conference schedule for March 3, 2021 at 10:00 a.m. before Magistrate Judge Rich.
23)	PRESTON DALGLISH, et al. <u>Civil no. 2:20-cv-00231-LEW</u> (Jury)	v.	ELDRIDGE LUMBER AND HARDWARE INC., et al. Conor M. Shankman, Esq. David P. Ginzer, Esq. Frederick C. Moore, Esq. Telephonic Final Pretrial Conference scheduled for March 2, 2021 at 1:00 p.m. before Magistrate Judge Nivison.
24)	SUSANNAH HUNT <u>Civil no. 2:20-cv-00321-LEW</u> (Jury)	v.	TODDLE INN DAY CARE INC Sally A. Morris, Esq. Laura A. Rideout, Esq. Peter G. Callaghan, Esq. Telephonic Final Pretrial Conference scheduled for March 3, 2021 at 9:00 a.m. before Magistrate Judge Nivison.

BANGOR

1)	JENNIE M. COOK <u>Civil no. 1:16-cv-00207-JCN</u> (Jury)	v.	USAA CASUALTY INSURANCE COMPANY
	Jennie M. Cook, Pro Se		Cassandra S. Shaffer, Esq. James H. Cole, Esq.
Final Pretrial previously held. Estimated trial time 3 days.			
2)	JEFFREY PAUL BARNARD <u>Civil no. 1:16-cv-00276-LEW</u> (Jury)	v.	TROY BIRES
	Jeffrey Paul Barnard, pro se		Edward R. Benjamin, Jr., Esq. Kasia S. Park, Esq.
Final Pretrial previously held. Estimated trial time 3 days.			
3)	BRIAN BELL <u>Civil no. 1:16-cv-00501-JDL</u> (Jury)	v.	O'REILLY AUTO ENTERPRISES, LLC
	Chad T. Hansen, Esq. Allan K. Townsend, Esq.		Christopher C. Taintor Esq. Robert W. Bower, Jr., Esq.
Video Final Pretrial Conference scheduled for March 3, 2021 at 11:00 a.m. before Judge Levy.			
4)	OFFICIAL COMMITTEE OF UNSECURED CREDITORS <u>Civil no. 1:18-cv-00068-NT</u> (Jury)	v.	CALPERS CORPORATE PARTNERS LLC, et al.
	Fred W. Bopp, III, Esq. Jay S. Geller, Esq. Jeremy R. Fischer, Esq.		Adam J. Shub, Esq. Anthony J. Manhart, Esq. Caitlin Ross, Esq. Danielle Vrabie, Esq. Edward H. Tillinghast, III, Esq. Rena Andoh, Esq.
Video Final Pretrial Conference scheduled for March 4, 2021 at 11:00 a.m. before Judge Torresen.			

5)	US BANK TRUST NA AS TRUSTEE FOR LSF9 MASTER PARTICIPATION TRUST <u>Civil no. 1:19-cv-00119-JDL</u> (Bench)	v.	GREG A. KING, et al.
	John A. Doonan, Esq. Reneau J. Longoria, Esq.		Greg A. King, pro se Jennifer G. Huston, AAG
Video Final Pretrial Conference scheduled for March 4, 2021 at 11:00 a.m. before Judge Levy.			
6)	TERESA RICHARDSON-KELLEY <u>Civil no. 1:19-cv-00367-JDL</u> (Jury)	v.	KENNEBEC LUMBER COMPANY
	Chad T. Hansen, Esq.		Laura A. Rideout, Esq. Stephen E.F. Langsdorf, Esq.
Video Final Pretrial Conference scheduled for March 5, 2021 at 10:00 a.m. before Judge Levy.			
7)	WILMINGTON SAVINGS FUND SOCIETY FSB <u>Civil no. 1:19-cv-00485-JAW</u> (Jury)	v.	BAR HARBOR BANK & TRUST
	John A. Doonan, Esq. Reneau J. Longoria, Esq.		Adam J. Shub, Esq. Bodie B. Colwell, Esq.
Telephonic Final Pretrial Conference scheduled for March 3, 2021 at 1:00 p.m. before Magistrate Judge Rich.			
8)	JAMIE DESILETS <u>Civil no. 1:19-cv-00513-GZS</u> (Jury)	v.	UNITY COLLEGE, et al.
	Stephen C. Smith, Esq.		Timothy C. Woodcock, Esq.
Telephonic Final Pretrial Conference scheduled for March 4, 2021 at 8:30 a.m. before Magistrate Judge Rich.			
9)	WILMINGTON TRUST NATIONAL ASSOCIATION <u>Civil no. 1:19-cv-00572-DBH</u> (Bench)	v.	TREASE N. VIGNEAULT, et al.
	John A. Doonan, Esq. Reneau J. Longoria, Esq.		Stephen R. Vigneault, pro se
Telephonic Final Pretrial Conference scheduled for March 4, 2021 at 10:00 a.m. before Magistrate Judge Rich.			

10)	PUBLIC INTEREST LEGAL FOUNDATION INC. <u>Civil no. 1:20-cv-00061-GZS</u> (Bench)	v.	MATTHEW DUNLAP
	Kaylan L. Phillips, Esq. Noel H. Johnson, Esq. Stephen C. Whiting, Esq.		Phyllis Gardiner, AAG
Telephonic Final Pretrial Conference scheduled for March 4, 2021 at 1:00 p.m. before Magistrate Judge Rich.			
11)	JAMES MCLAUGHLIN <u>Civil no. 1:20-cv-00158-JDL</u> (Jury)	v.	CITY OF BANGOR
	Lisa J. Butler, Esq.		Mark V. Franco, Esq.
Telephonic Final Pretrial Conference scheduled for March 3, 2021 at 10:00 a.m. before Magistrate Judge Nivison.			
12)	ANGELA MUSTO <u>Civil no. 1:20-cv-00188-GZS</u> (Jury)	v.	LIBERTY INSURANCE CORPORATION,
	Jeffrey T. Edwards, Esq.		Anthony Joseph Antonellis, Esq. Christopher M. Reilley, Esq. Tierney Chadwick, Esq.
Telephonic Final Pretrial Conference scheduled for March 5, 2021 at 8:30 a.m. before Magistrate Judge Rich.			

UNITED STATES DISTRICT COURT
DISTRICT OF MAINE

ELECTRONIC EVIDENCE PRESENTATION

The U.S. District Court for the District of Maine offers audio/visual equipment for use during hearings and trials. While each courtroom accommodates a different configuration of audio/visual equipment, they each accommodate the use of the Electronic Evidence Presenter (EEP). **Counsel must reserve the equipment well in advance of trial.**

The EEP consists of a digital document camera, a video cassette or digital video disk (DVD) player, and a projector. Images of exhibits are displayed using the digital document camera, which permits the judge, attorneys, witnesses and jury to view the images simultaneously. Using this equipment, the operator can zoom in on the most critical area of the exhibit in detail.

The EEP also allows attorneys to connect a laptop for presentation of evidence using PowerPoint or other presentation software. Attorneys MUST provide their own technical assistance in preparing the laptop evidence presentation. The Court will not troubleshoot compatibility problems for attorneys using the EEP.

Attorneys who wish to use courtroom audio or visual equipment at a trial or hearing are required to understand and be prepared to operate the equipment.

Attorneys who plan to use their own electronic equipment (such as laptops) at a hearing or trial must schedule time well in advance to practice and to test their equipment's compatibility with a courtroom's system.

Practice time should be scheduled with the Information Technology (IT) staff listed below for a date not less than two weeks prior to a hearing or trial.

The Court may deny the use of audio/visual equipment during a hearing or trial to attorneys who have failed to attend a practice session to confirm their equipment's compatibility with the court's system.

For Reservations Contact:

U.S. District Court I.T. Department

Helpdesk@med.uscourts.gov

207-274-5117